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7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 JOHN WORTHINGTON,

11 Plaintiff,

12 v.

13 WASHINGTON STATE ATTORNEY
14 GENERAL'S OFFICE, et al.,

15 Defendants.

CASE NO. C10-0118JLR

ORDER

16 Before the court are Plaintiff John Worthington's Motion to Set Aside Judgment
17 and Motion for leave to file the same (Dkt. ## 101, 102). This is a closed case. Mr.
18 Worthington brought this action against numerous government defendants alleging that
19 his marijuana plants were improperly seized. The court dismissed the case without leave
20 to amend on April 20, 2010 (4/20/10 Order (Dkt. # 66)), and this dismissal was affirmed
21 on appeal on June 27, 2011 (Order of USCA (Dkt. # 96)). In addition, the court ordered
22 Mr. Worthington not to file any motions for reconsideration or motions to amend without

1 first obtaining leave of the court, stating that “[t]he court will grant leave to Mr.
2 Worthington upon a showing that his motion has merit and is brought in good faith.”
3 (5/10/10 Order (Dkt. # 75) at 2.) Mr. Worthington now seeks leave to file a new motion.

4 The court DENIES this request. First of all, this motion falls under the ambit of
5 the court’s prior order and Mr. Worthington may not file it without requesting leave.
6 This is, in substance, a motion for reconsideration. Mr. Worthington asks the court to
7 “vacate the previous order dismissing [his] motions and claims” (Mot. (Dkt. # 102)
8 at 6.) His motion asks the court to revisit its prior rulings. Thus, although it is labeled a
9 Federal Rule of Civil Procedure 60(b) motion, this is a motion for reconsideration and
10 Mr. Worthington must seek the court’s leave before filing, as he has properly done.

11 The court denies the request for leave. As stated above, the court will grant leave
12 “upon a showing that [the] motion has merit and is brought in good faith.” (5/10/10
13 Order at 2.) Mr. Worthington’s request fails this test because the underlying motion has
14 no merit. First, the motion is untimely. This is true regardless of whether the motion is
15 treated as a motion for reconsideration (*see* Local Rules W.D. Wash. LCR 7(h)(2)), or as
16 a Rule 60(b) motion (*see* Fed. R. Civ. P. 60(c)(1)). Second, Mr. Worthington raises no
17 argument or authority that suggests he is entitled to the relief he requests. Instead, he
18 seeks to relitigate claims that were decided long ago without stating any valid grounds for
19 doing so or any legitimate reasons why the previous order was incorrect.

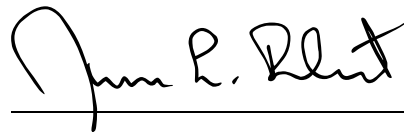
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1 Accordingly, the court DENIES Mr. Worthington's request for leave to file this
2 motion (Dkt. # 101) and STRIKES the motion (Dkt. # 102).

3 Dated this 29th day of August, 2013.

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JAMES L. ROBART
United States District Judge